

Minutes
Board of Supervisors
Regular Meeting
June 21, 2016

Members Present: Johnny Woodward, Chairman At-Large
D. Keith Guzy, District 1
David Wiatrowski, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Dorothy Pendley, District 5

Staff Present: Amity Moler, County Administrator
Regina Miller, Assistant to the County Administrator
Nathan Miller, County Attorney

Call to Order:

Chairman Johnny Woodward called to order the regular meeting of the Page County Board of Supervisors on June 21, 2016, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray. The Call to Order was followed by the *Pledge of Allegiance* and Invocation given by Pastor Dave Johnson.

Adoption of the Agenda:

Motion: Supervisor Guzy moved to adopt the agenda. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Woodward, Guzy, Wiatrowski, Stroupe, Foltz, Pendley. Nay: None.

Presentations, Proclamations & Awards:

Update from the Chamber of Commerce:

Gina Hilliard, Executive Director of the Luray-Page County Chamber of Commerce, gave a quarterly update to the Board on the Chamber's activities. She reported that the monthly newsletter is doing well and it gives members a chance to advertise. The new visitors guide is being printed and should be ready within the upcoming week. The first week of May was National Small Business Week and they handed out post cards to all of the small businesses recognizing them. She said the Chamber is still working on the membership outreach. Certificates are being made for the members to hang in their businesses so they can be recognized as Chamber members. There were 11 new memberships in April and six in May, which brings their total membership to 387. She expressed that hits are up on the website, Facebook, Cabin Facebook, Instagram and Twitter pages. Mrs. Hilliard finished by highlighting past meetings and upcoming events.

Chairman Woodward asked if it was possible to have Chamber Board meetings in the evening instead of the mornings. Mrs. Hilliard said she would pose the question to the Chamber Board at their next meeting. Chairman Woodward also asked if the Chamber

could help promote the Technical Center. Mrs. Hilliard said she would get together with the schools and see what they can work out.

Cavemen Baseball Funding Request:

Andy Caviness, President of the Cavemen Baseball Team, said the team started in 2013 after the demise of the Luray Wranglers. He said that they are in the Rockingham County baseball league and are a 501(c)3 organization with a budget of \$18,000 per year. All of the team's advertising is on the game schedule. Mr. Caviness expressed that the Cavemen need to make \$300 per game in order to pay expenses. He feels that they promote Page County by providing entertainment that brings in patronage to the County. He finished by saying that losing the County's funding would be critical to the team's existence.

Chairman Woodward said that the TOT funds are specifically to be used for marketing or advertising. He explained how the Board came to the decision on how to fund the requesting organizations with the TOT funds.

Supervisor Stroupe indicated that he felt the Board has misconstrued the law and would like for County Attorney Miller to interpret the law for them. Supervisor Stroupe said he thinks the money is for anything that brings tourists in to the County, not just spending on advertising. County Attorney Miller said he would research the law and give his opinion. Chairman Woodward asked the Board to reconsider at the next meeting once County Attorney Miller gives his findings.

Public Comments on Agenda Items:

There were no speakers during Public Comments on Agenda items.

Action Matters:

Review of Stonyman Agricultural/Forestal District:

Michelle Somers, Zoning Administrator, explained that in 2000 a group of local farmers and landowners applied for and began the process of establishing Page County's first Agricultural and Forestal District (AFD). In 2001, Page County adopted the Stonyman AFD for a term of 7 years consisting of 1,912.55 acres. In 2008, the district was renewed for another 7 years consisting of 1,243.419 acres. During that renewal time, language was added to the ordinance that stated any landowner who is delinquent in paying County real estate taxes would be removed from the program. In 2015, the AFD was reviewed for an additional 7 year term. Applications have been solicited and reviewed by the advisory committee. Additionally, the Planning Commission held a public hearing for the review and voted to recommend approval of the district. The AFD is a voluntary program in which landowners agree not to develop their property and keep the agricultural operation or open space for the term of the district. It also ensures the landowners in the district that the district will be taken into consideration in local planning decisions. Landowners may participate in this program; however only those parcels qualifying for land use taxation through the land use program will receive the reduced rate. Currently, there are 86 parcels applying for the district with 20 new members. The new members requesting to enter the district equal 801 acres therefore

making the district a total of 2,045 acres. The core of the district has remained the same 200 acres that was initially required to start the district. Within the proposed ordinance, the advisory committee proposed a \$20 application fee per parcel just like the land use program to cover associated costs. The committee felt that this fee should be waived at this time, which equates to \$1,027.00. Mrs. Somers requested that the Board of Supervisors schedule this for a public hearing at the July 19, 2016 meeting.

Motion: Supervisor Stroupe moved to approve the renewal of the Stonyman Agricultural and Forestal District and amendment to the Page County Code 125-67 and that a public hearing be held on July 19, 2016. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Pendley, Woodward. Nay: None.

Agreement with Forms Networks for IT Services:

Mrs. Moler explained that in 2011 the County began using Form Networks (formerly Valley Automation) for information technology services. She said an RFP for IT services went out earlier this year because it is required by law and an RFP had never been issued soliciting IT services. The County received one proposal, which was from Form Networks. Currently, the County pays \$60 per hour for their services. The proposal they submitted gave three options: 1) an annual contract for one year, at a cost of \$65,000 all inclusive expect for special projects; 2) a three year contract at the cost of \$60,000 a year, all inclusive, expect for special projects, which can be paid monthly at a cost of \$5,000; and 3) hourly rates billed at \$75 per hour for IT support, \$65 per hour for cabling, and \$125 per hour for engineering. Mrs. Moler recommended the three year contract at a rate of \$60,000. She noted that the hourly rate will increase July 1, 2016, if we continue without a contract.

Motion: Supervisor Foltz moved to approve a three year contract with Form Networks, at a rate of \$60,000 per year, for IT Services. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Pendley, Woodward, Guzy. Nay: None.

Designation of FOIA Officer:

Mrs. Moler said starting July 1, 2016, HB 818 requires local public bodies with a population greater than 250 to post a Freedom of Information Act (FOIA) rights and responsibilities document on their public government website. The bill also requires all local public bodies that are subject to FOIA to designate and identify contact information for at least one FOIA officer whose responsibility is to serve as point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of FOIA. The FOIA Officer must possess specific knowledge of the provisions of FOIA and be trained at least annually by legal counsel for the public body or by the Virginia Freedom of Information Advisory Council. Mrs. Moler recommended Regina Miller, Assistant to the County Administrator, as Page County's FOIA Officer. She said Ms. Miller is very knowledgeable on the subject of FOIA, its regulations, and has been the unofficial Officer for years.

Motion: Supervisor Stroupe moved to designate Regina Miller as Page County’s FOIA Officer to serve as the point of contact for citizen requests of public records and to coordinate Page County’s compliance with the provisions of FOIA. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Pendley, Woodward, Guzy, Wiatrowski. Nay: None.

Budget Changes:

Ben Blevins, Budget Officer, explained the budget changes for the month of June. The first item is an appropriation of State Asset Forfeiture funds to the Page County Sheriff’s Office in the amount of \$5,663 for the use of supplies in Investigations. This is a State Grant. The second is the Page County School Board is requesting funds to be re-appropriated from Instruction to Transportation in the amount of \$100,000 to cover additional expenditures for equipment and materials. In addition, a fund transfer of \$77,450 is being requested from the School Insurance Fund to Fund 6 to cover expenditures for the Health and Sciences Building at the Page County Technical Center.

Supplemental Appropriations Requests:

Department	Description	Revenue Source	Expenditure	Amount
Page County Sheriff’s Office	additional funding	State Government	Page County Sheriff’s Office	\$5,663
Total				\$5,663

Budget Transfer Requests:

Department	Description	Transfer From	Transfer To	Amount
Page County School Board	Overuse of Funds	Instruction	Transportation	\$100,000
Page County School Board	Overuse of Funds	School Insurance Fund	Fund 6	\$77,450
Total				\$177,450

Motion: Supervisor Guzy moved to approve the State Asset Forfeiture request by appropriating the amount of \$5,663 and to approve the re-appropriation and transfer of funds in the amount of \$177,450 to the categories specified in the Page County School Board’s resolutions. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Pendley, Woodward, Guzy, Wiatrowski, Stroupe. Nay: None.

Board and Commission Appointments:

Mrs. Miller, Assistant to the County Administrator, said appointments need to be made to the following: Lord Fairfax Community College Board and Social Services Board (District 2).

Lord Fairfax Community College Board:

The term of Bruce Short expires on June 30th. He has been recommended for reappointment to a second four year term by the College and is willing to continue serving.

Motion: Supervisor Foltz moved to appoint Bruce Short to the Lord Fairfax Community College Board for a four year term from July 1, 2016 through June 30, 2020. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Pendley, Woodward, Guzy, Wiatrowski, Stroupe, Foltz. Nay: None.

Social Services Board:

The term of Janyce Sletten (District 2) expires on June 30th. She is eligible to serve another four year term.

Motion: Supervisor Wiatrowski moved to appoint Janyce Sletten to the Social Services Board, as the District 2 representative, for a four year term from July 1, 2016 through June 30, 2020. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Woodward, Guzy, Wiatrowski, Stroupe, Foltz, Pendley. Nay: None.

Consent Agenda:

Motion: Supervisor Guzy moved to approve the Consent Agenda as follows:

- Financial reports for the period of May 1-31, 2016;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,427,332.67 for the month of May 2016;
- Minutes of May 3, 2016 and May 17, 2016.

Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Pendley, Woodward. Nay: None.

Old Business:

Status on the Invitation to Senator Obenshain and Delegate Gilbert to Attend and Upcoming Board Meeting:

Supervisor Wiatrowski asked if we had heard back from Delegate Todd Gilbert or Senator Mark Obenshain in regard to attending an upcoming Board meeting. Mrs. Moler said letters have been sent, but she has had no replies from either. She said she invited them both to attend either the July 19th or August 16th regular meeting.

Letter to VDOT:

Chairman Woodward asked if the letter was sent to VDOT concerning the VDOT six year plan. Mrs. Moler said she has the list and will send the letter. Chairman Woodward asked her to send a copy to Mr. Williams and Mr. Barlow as well. Supervisor Guzy requested that she include in the letter for VDOT to include estimates for improvements to Fox Hollow Road.

New Business:

TOT Request – Baseball Hall of Fame:

Supervisor Stroupe introduced Donnie Wilson. Mr. Wilson said 40 people in the Stanley area and their baseball records from 1955-1956 are going into the Baseball Hall of Fame in Cooperstown, New York. These individuals played baseball and one of the players kept records that listed the players name as well as bats, hits, and runs. Mr. Wilson said that he had found out two years ago that one of the players had took all the

papers and compiled the records, dates of games, winning and losing pitchers, scores and batting averages. He ran all the statistics for 61 games in 1955. J.C. Painter, he said, is the one who kept the records. He found them in his attic a few years ago and gave them to his first cousin Jimmy Painter. He noted that the *Page News and Courier* recently wrote a story on this, and compared kids today to back then. He said that he contact the Baseball Hall of Fame to see if they were interested in the records and after reviewing them he received a letter from them expressing interest in the records. He said that on July 11th he is leaving for Cooperstown, New York with the original records and on July 12th he is meeting with the research team. Mr. Wilson passed around all his documents he had as well as the letters and newspaper articles.

Supervisor Stroupe said that the sports writer from *Page News and Courier* is planning to go on the trip with Mr. Wilson. He emphasized that this could have a positive impact on our community. He said he called the Governor's Office and told them, he feels this could be the biggest thing that has happened to Page County since Luray Caverns. This could be a great avenue for tourism.

Motion: Supervisor Stroupe moved to use \$5,000 from the Board Reserve to help fund the process for the Baseball Hall of Fame. Supervisor Foltz seconded.

Supervisor Guzy stated that he will give a personal donation but is not comfortable with giving taxpayers money, especially if we are in a deficit.

Supervisor Wiatrowski said he wanted to table and get opinion from County Attorney Miller.

Supervisor Stroupe said his initial thought was to use TOT funds, but the money the Board is allocating now is for next year.

Chairman Woodward felt it has potential to be TOT, but at this point would need to come from the Board Reserve.

Amended Motion: Supervisor Stroupe amended the motion to appropriate \$5,000 to Stanley Sandlot Baseball from the current TOT fund. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Wiatrowski, Stroupe, Foltz, Woodward, Guzy. Nay: None. Abstain: Pendley.

Sheriff's Budget Update:

Sheriff Chad Cabbage said that the Sheriff's Office will again be spent over budget. A majority of the budget overage will be in the Jail budget at an estimated \$750,430. While they have worked to reduce the food costs and increase the work release program, these efforts are overshadowed by their expenditures within the budget's contractual services line. This line includes the housing costs for inmates at Middle River Regional Jail and their responsibilities for inmate medical services. These expenditures have increased from approximately \$264,000 in FY14 to an estimated \$1.4 million in FY16. During the same period the average daily population for inmates

housed at Middle River has increased from 38 to 50 beds. While the average population in the Page County Jail has remained consistently around 80.

He said they are working to get reimbursed from the Department of Corrections for some of the monies on inmates who have received medical treatment. He said they are also submitting paperwork to have the \$309,587 hospital bill for an unnamed inmate covered by Medicaid. He noted that the Animal Control, ECC, Sheriff, and Investigations do not appear to have been overspent. However, the Crime Prevention budget is overspent and there appears to be a discrepancy in some of the grant funding reported in the expenditure reports and they are working to find the explanation. The Bailiff budget reflects a deficit based on the movement of personnel from one budget to another, which are changes that occurred as a result of his administration. He then reviewed a list of unexpected expenses that have occurred during FY16, specifically since he took office. Sheriff Cubbage noted that in examining the adopted FY17 budget, they will most likely be having similar conversations as the year moves forward.

Sheriff Cubbage said he would like to make Middle River Regional Jail and inmate medical into its own budget. Mrs. Moler said that the Middle River Regional Jail and inmate medical can be separate line items but must stay in the Jail budget because they are costs of the Jail.

Supervisor Guzy said measures need to be put in place to check departmental spending each month and evaluate expenditures. Supervisor Foltz said the Board needs to know month to month what the Sheriff's Department is spending so we do not get hit with a deficit all at once.

Mrs. Moler explained that the Sheriff's Department did not receive an up to date expenditure report until this week, because of bills being held in all departments. Supervisor Guzy stressed that there has to be checks and balances in place to keep this from happening every year.

Sheriff Cubbage explained that an inmate could be held in Page County for up to two years before they can be transferred to the Department of Corrections. Supervisor Guzy said he feels that a meeting needs to be held with Commonwealth Attorney Ken Alger so he understands the cost involved in holding these inmates. Supervisor Guzy also felt that Mr. Alger could recommend to the judge that an inmate be placed in the home electronic monitoring program or placed on work release, which will help take some of the burden off of the County.

Mrs. Moler advised the Board that if a decision to appropriate money to the Sheriff's budget is made that it be contingent upon the remaining balance in the General Fund through all the other departmental budgets before appropriating any money. After reviewing the last expenditure report, almost all of the budgets are tracking well and there will be money left that should cover the overspent areas. There is \$95,000 that remains in Board Reserve.

Chairman Woodward said the Treasurer was previously instructed to cash in the \$300,000 certificate of deposit (CD) and it has not been done. Supervisor Foltz said it should have been cashed in February when the new equipment for the landfill was purchased. Supervisor Foltz asked County Attorney Miller if he would write a letter to the Treasurer requesting the CD be cashed. Mr. Miller wanted to know what the Treasurer's reason was for not cashing. Supervisor Foltz said the reason given was because of the \$1,200 penalty. County Attorney Miller said that he will discuss this matter with Mrs. Moler and see what the Board can do. The Board gave their consent for County Attorney Miller to work with Mrs. Moler on this matter. Supervisor Guzy stressed that there needs to be financial policies in place to address spending so this does not happen again.

Mr. Miller said there should be internal audits and monthly reports to know how the money is being spent. Further, the Board should give staff, by motion, the authority to adjust the books and get the recommendations in place to take care of covering the overspent areas, including cashing the CD.

Supervisor Guzy asked what happens when the expenditure reports do not match the Treasurer's reports. Mrs. Moler explained that the expenditure reports are what have been spent; the Treasurer's Office reports reflect the actual cash flow. She also pointed out that the majority of the revenue comes in twice a year.

Supervisor Guzy said there should be three internal audits conducted every month. The department should conduct its own audit. Then the staff should conduct an audit of expenditures versus budget and there should be a Treasurer's audit of cash flow.

Motion: Supervisor Foltz moved to give the County Administrator the authorization to instruct the Treasurer to cash in the CD, use the balance in the Board Reserve and move other funds as needed from the General Fund to cover the overspent amount. Further, any refunds received will go back into the General Fund. If an emergency meeting is needed of the Board, staff will make the recommendation. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Pendley, Woodward, Guzy, Wiatrowski. Nay: None.

Open Public Comments:

Mr. Morgan Phenix spoke on behalf of Page Valley Amateur Radio Club. This Saturday and Sunday begins a 24-hour emergency preparedness drill at Lake Arrowhead. This is a test to meet our emergency communication needs when the normal means is not available. He stated that they have placed first in Virginia in their category in the last four years. Everyone is invited it begins at 2pm Saturday, June 25th.

Administrator's Report:

Mrs. Moler said invitations have been sent to Senator Obenshain and Delegate Gilbert inviting them to attend either the July 19th or August 16th meeting and she has not received a response from either of them. She informed the Board that an upcoming cost

in the next year or two will be a major improvement for the Emergency Communications Center (ECC). She is exploring partnering with surrounding counties to save money regionally on the new ECC requirements. She reminded the Board that the VACO Conference is in November and any Board member who wants to attend needs to let her know so reservations can be made. Mrs. Moler said she had a visit from students from Page Memorial Hospital and Mrs. Leslie Mack said the students are interns which need to do community service so they will be pulling weeds around the Chinquapin Oak tree on June 30th. Lastly, she indicated that the joint meeting with the School Board is scheduled for July 5th.

Supervisor's Time:

Chairman Woodward and all the Supervisors thanked everyone for coming.

Closed Session:

Motion: Supervisor Wiatrowski moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act to discuss personnel matters regarding officers and employees of the Page County Board of Supervisors for the purpose of considering such person's assignment and performance, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Pendley, Woodward, Guzy, Wiatrowski, Stroupe. Nay: None.

Exit Closed Session:

Motion: Supervisor Wiatrowski moved the closed meeting be adjourned and the Page County Board of Supervisors reconvene in open session. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Pendley, Woodward. Nay: None.

Certification of Closed Meeting:

To the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711(A) of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.

<u>Recorded Roll Call Vote:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
K. Keith Guzy, Jr.	X			
David Wiatrowski	X			
Mark Stroupe	X			
Larry Foltz	X			
Dorothy Pendley	X			
Johnny Woodward	X			

Adjourn: 10:17 p.m.

With no further business, Chairman Woodward adjourned the meeting.


Johnny Woodward, Chairman


Amity Moler, County Administrator